



# **CITY OF ST. MARYS ADA TRANSITION PLAN**



**JUNE 2013**

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## INTRODUCTION

Title II of the “Americans with Disabilities Accessibility Act” (ADA) is the title that applies to public entities like state and local governments. The Americans with Disabilities Act of 1990 is divided into a number of titles. Title II requires nondiscrimination on the basis of disability, in state and local government services. These “public entities” – including departments, agencies, or other instrumentalities – are required to comply with the ADA.

Title II of the ADA therefore requires that all Programs, Services and Activities (PSA’s) of public entities, including those considered “instrumentalities” of the government, assure that individuals with disabilities have access to all of their:

- ❖ Programs
- ❖ Services
- ❖ Activities

Program accessibility means that, when viewed in its entirety, each program is readily accessible to, and usable by, individuals with disabilities. Program accessibility is necessary not only for individuals with needs related to mobility disabilities, but also to individuals with needs related to speech, cognitive, vision and hearing disabilities. The following are simply a few examples of barriers to accessibility:

### Physical Barriers

- ❖ Parking
- ❖ Path of Entry/Travel
- ❖ Doors
- ❖ Service Counters
- ❖ Restrooms

### Programmatic Barriers

- ❖ Building Signage
- ❖ Customer Communication and Interaction
- ❖ Access to Public Telephones
- ❖ Emergency Notifications, Alarms, Visible Signals
- ❖ Communications (via internet, public meetings, telephone)
- ❖ Participation opportunities for events sponsored by the City

*City facilities, programs, services, policies, practices and procedures will continue to be surveyed on an on-going basis, and the ADA Transition Plan may be revised to account for changes to City activities. An accessibility inventory of sidewalks and curb ramps on streets and near City facilities has been completed, and an approach put in place to ensure that all public ramps to sidewalks are handicap accessible. This Plan will be posted to the City’s web site for review and consideration by the public. In addition, notice will be provided of its existence in any official and unofficial City publications.*

## **Purpose of the Evaluation**

The purpose of this City of St. Marys Americans with Disabilities Act (ADA) Title II Self-evaluation is to document the results of the City's review of access to programs, services and activities by individuals with disabilities in order to determine if there are any discriminatory or potentially discriminatory practices, policies or procedures. This report contains findings and recommendations based on that review, or portions thereof, which have been completed to date.

The City of St. Marys is committed to complying with the tenets of Title II of the Americans with Disabilities Act, and other federal and state statutes and regulations aimed at making public programs, services and activities accessible to persons with disabilities.

The intent of this program is to ensure that the citizens of St. Marys are provided full access to the City's programs, services and activities in as timely a fashion as is reasonably and fiscally possible. The City's elected officials and staff believe the ability to accommodate disabled persons is essential to good customer service, the quality of life St. Marys residents seek to enjoy and to effective governance. This Plan has been prepared after careful study by each department of all of the City's programs, services and activities.

## **Prior ADA Self-Evaluation and Transition Plans**

The City of St. Marys has not conducted a plan prior to the 2013 ADA Self-evaluation and transition plan.

## **Statement of Accessibility**

The City of St. Marys shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the City can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity. The City of St. Marys will not place surcharges on individuals with disabilities to cover the cost involved in making programs accessible.

## **Focus of ADA Self-Evaluation**

Barriers that deny or limit access to programs, services or activities may be structural or non-structural. Nonstructural barriers may be due to policies, practices or procedures that may inadvertently limit, segregate or discriminate against individuals with disabilities.

The focus of this Self-evaluation targets access to the City's programs, services and activities in nonstructural or programmatic areas as defined by Title II, subtitle A. Nonstructural or programmatic barriers are identified in this Self-evaluation. Selected structural barriers will be discussed in limited situations only, as they relate to specific access to the City's programs, services and activities.

The City completed a review of physical barriers of sites for compliance with the Americans with Disabilities Accessibility Guidelines (ADAAG) in May 2013 and has prepared a barrier removal/transition plan. Copies of the transition/barrier removal plan and ADA Self-evaluation are available from the City of St. Marys ADA Coordinator.

## **Designated ADA Coordinator**

Mrs. Donna Folsom was designated the ADA Coordinator during the initial phases of the ADA Self-evaluation. Mrs. Folsom's contact information is:

Donna Folsom  
Human Resources Director  
418 Osborne Street  
St. Marys, GA 31558  
[Donna.folsom@stmarysga.gov](mailto:Donna.folsom@stmarysga.gov)  
912-510-4036

The City offers alternate methods to provide access to review or provide input into the City's plan.

Requests for information from the ADA Coordinator can be sent by email, phone, mail, or fax. Information will be made available in alternate formats upon request.

## **Self-Evaluation Updates**

This Self-evaluation is an on-going, dynamic document that will need periodic review and updating. In its continuing efforts to maintain compliance, the City has several mechanisms in place to provide for an ongoing update of the Self-evaluation. The City's designated ADA Coordinator is empowered with oversight responsibility for implementation of the requirements of the ADA. Updates to the City of St. Marys ADA Self-evaluation will be marked with an "UPDATE" designation, followed by a date. Additional updates and implementation activities will be documented in the City of St. Marys ADA Self-Evaluation Implementation Plan. The Implementation Plan (ADA Barrier Removal Plan) is a separate document that serves to update and summarize activities and progress.

## **Self-Evaluation Format**

Information collected during the Self-evaluation process is reported by departments. This Self-evaluation provides an overall summary and profile of findings and recommendations.

## **Methodology for Self-Evaluation**

Several methods were used to provide comprehensive input regarding the public's accessibility to programs, services and activities offered by the City, including:

- ◆ Staff interviews
- ◆ Review of policies, procedures and other documents
- ◆ Survey of departments and agencies
- ◆ Survey of facility users
- ◆ Visits to selected sites
- ◆ Inspection of selected sites
- ◆ Presentations to and collaboration with the Committee
- ◆ Public postings and notices requesting input

Relevant policies, procedures and documents were reviewed. Data was collected regarding programs, services and activities for compliance with the requirements of Title II of the ADA. Surveys were distributed to agencies as one measure to determine the level of ADA compliance within the organization. Selected staff interviews were held. Public postings were displayed in City locations asking for input into the study. Postings were also available on the City of St. Marys website.

### ACTIONS TO BE TAKEN/ ACTION LOG

<b>ACTIONS</b>	<b>Responsible Individual/Department</b>	<b>Target Date</b>	<b>Completion Date</b>
City ADA Transition Plan Committee formed	ADA Coordinator	March 2013	March 2013
Gather Resources and information to determine scope of ADA Transition Plan Project	ADA Coordinator	April 2013	April 2013
ADA Transition Plan Committee – Initial Meeting (City Management Team)	ADA Coordinator	April 2013	April 2013
ADA Transition Plan Committee Training on Implementation Plan & Roles	ADA Coordinator	May 2013	May 2013
ADA Quick Barrier Checklist – Complete Survey on City Facilities	Public Works/Planning/ Building/Fire	May 2013	May 2013
ADA Training to all City Supervisors and front-line employees	ADA Coordinator/ADA Transition Plan Committee	July 2013	
Completion of Self-Evaluation (One evaluation per department/program)	Department Heads	July 2013	
Establish a list of ADA projects and prioritize each project based on the frequency of use of each barrier	ADA Coordinator/ADA Transition Plan Committee	July 2013	
Public Input Hearing	ADA Coordinator	July 2013	
City Council Approval of ADA Transition Plan Program	City Council	July 2013	
Public Announcement of City's Efforts to comply with the ADA, including the availability of Grievance Procedures	City Council/City Manager	July 2013	

## **I. PHYSICAL BARRIERS**

The City owns a limited number of properties, and accordingly does not have many options on locations from which it can offer programs, activities and services without incurring significant financial cost. Below is a list of the City's facilities:

1. City Hall Complex, 418 Osborne Street
2. Ward Hernandez Building, 400 Osborne Street
3. Department of Labor Building, 406 Osborne Street
4. St. Marys Library, 100 Herb Bauer Drive
5. St. Marys Aquatic Center, 301 Herb Bauer Drive
6. Police Department, 563 Point Peter Road
7. Public Works Department, 819 Point Peter Road
8. Submarine Museum, 102 St. Marys Street
9. Fire Station #2, 201 North Dandy Street
10. Fire Station #9, 19050 Colerain Road
11. Fire Station #7, 205 Spinnaker Drive
12. Scrubby Bluff Wastewater Treatment Plant, 204 Sewer Treatment Plant Road
13. Point Peter Wastewater Treatment Plant, 300 North River Causeway
14. Water Plant #2, 204 North Dandy Street
15. Water Plant #3, 526 Douglas Drive
16. Water Plant #4, 10465 Colerain Road
17. Cumberland Harbor Booster Station, 205 Spinnaker Drive
18. Howard Gilman Waterfront Park, 201 St. Marys Street
19. Orange Hall, 303 Osborne Street
20. Trolley Building, 404 Osborne Street
21. Hanger, 400 North Dandy Street
22. Tilden Norris Marshwalk, St. Marys Street
23. Pavilion, St. Marys Street
24. Kayak Launch, Highway 40 at Dark Entry Creek
25. Wheeler Street Boat Ramp, Wheeler Street
26. Meeting Street Boat Ramp, Meeting Street
27. St. Marys Senior Center, 120 Davis Street

A self-evaluation/assessment of each of the City's departments has been conducted in conjunction with the execution of this plan. Deficiencies in the City of St. Marys' physical features of facilities that diminish the ability of disabled persons to benefit from the City's programs, services and activities have been identified. A correction plan or other course of action has been noted for each deficiency, along with a schedule for completion of the correction.

## **A. BASELINE CONDITIONS**

Each of the City's facilities was reviewed in light of several "baseline" conditions, including:

1. Access to parking and entry into the facilities themselves;
2. Access to a clear and distinct path of travel;
3. Access to programs and services themselves;
4. Access to public areas and restrooms; and
5. Access to related amenities.

## **B. CRITERIA FOR DETERMINING EXISTENCE OF IMPEDIMENT**

Criteria have been established to determine whether corrective action needs to be taken at a particular facility. The criterion includes, but is not limited to:

1. ***The nature of unique programs or services.*** Some facilities and sites are the only location that a particular program or service may be provided;
2. ***Facilities already in compliance with ADA accessibility guidelines.*** Some of the City's facilities were constructed and/or underwent major renovations after the effective date of the ADA;
3. ***Ability to relocate programs from one facility to another accessible facility.*** Because the City does not offer special programs and services at more than one location, consideration will be given to distribution of the special programs and services when viewed in their entirety;
4. ***Current state of accessibility.*** The current condition of each facility in terms of barriers to be removed will be identified by City administration;
5. ***Cost.*** The cost of alternatives to physical barrier removal versus the cost of an alternative corrective action plan;
6. ***The population served by a particular program or service and whether the public can obtain service from an alternative City location.***

## II. PROGRAMMATIC BARRIERS

The City recognizes not all barriers to the City's programs, services and activities are physical in nature. Other administrative barriers exist that must be overcome to provide complete government services to those who are disabled.

### A. COMMUNICATIONS

The City's Plan incorporates steps to ensure that communications with people with disabilities are as effective as communications with others. Effective communication means that whatever is written or spoken must be as clear and understandable to people with disabilities as it is for people who do not have disabilities.

There are also other types of communications that the City handles, including web site communications, communications relating to City administration and open public meetings, and other communications regarding the City's programs, services and activities. The City is in the process of:

- ❖ Identifying local resources for auxiliary aids and services,
- ❖ Identifying ways of producing documents in Braille or acquiring other aids or services, including software that can convert text into speech, and
- ❖ Contacting qualified interpreter services and other providers so that interpreters and other aids and services may be available on short notice.

The City is taking additional specific actions to improve communications, including the following:

1. **Agenda text.** The City will begin printing certain portions of meeting agendas in large-font type so that the content of agendas of public meetings can be more easily reviewed. Major agenda points will be printed in 14-point font.
2. **Web site communication.** The City posts agendas on the City's web site which when used with the free Adobe Acrobat Reader function, allows for enlargement so that the contents of agendas may be viewed from one's personal computer.
3. **Accommodations for hearing impaired persons/use of auxiliary aids.** The City will research the feasibility of incorporating equipment, available upon request, specially designed to assist hearing impaired persons to participate fully in City Council Meetings.
4. **Participation in/accessibility to public meetings.** The City has, as discussed above, already taken substantial efforts toward ensuring public meetings are held in ADA-accessible facilities. The City conducts all public meetings in ADA accessible facilities, and to the extent feasible will make specific accommodations, where necessary, to ensure that meetings among residents and City staff can be held within ADA accessible facilities.

## Notice to the Public of the Self-Evaluation

Public notices of the Self-evaluation process were posted in June 2013 in conspicuous locations, on the city web site, and in the local newspaper, radio, etc... The notice included the following wording:

“The City St. Marys, GA is in the process of conducting an Americans with Disabilities Act (ADA) Self-evaluation and Transition plan. Areas to be evaluated include facility accessibility, accommodations for individuals with disabilities and administrative policies and procedures.

Individuals who would like to provide input are invited to complete a survey. Surveys are available for organizations that represent individuals with Disabilities, community members, employees and other interested individuals who wish to participate in the evaluation.

Your comments and opinions are important to us and will provide valuable information regarding how the City of St. Marys can better accommodate individuals with disabilities. Surveys can be mailed to you, are available on the city web site at [www.stmarysga.gov](http://www.stmarysga.gov), or are available at:

St. Marys City Hall  
418 Osborne Street  
St. Marys, GA 31558

St. Marys Library  
100 Herb Bauer Drive  
St. Marys, GA 31548

St. Marys Public Works  
819 Point Peter Road  
St. Marys, GA 31548

Please contact Donna Folsom, Human Resources Director & ADA Coordinator at 912-510-4036 or [donna.folsom@stmarysga.gov](mailto:donna.folsom@stmarysga.gov) if you have questions or comments or would like a survey in an alternate format. Information regarding the Americans with Disabilities Act can be obtained from the ADA Coordinator.

The City of St. Marys complies with the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability.”

The identity of the ADA Coordinator will also be noted and posted in City publications and at City facilities.

## ACCOMMODATION OF DISABLED PERSONS IN MUNICIPALLY SPONSORED PROGRAMS

The City is committed to allowing persons with disabilities to participate in municipally sponsored programs. This includes recreation opportunities sponsored at the City's parks and recreation facilities, community forums and other events hosted or sponsored by the City. The City will achieve this goal by integrating all of the steps outlined above into these programs, including providing for effective communications and ensuring meeting and events are, to the extent possible, held in ADA-accessible parks and facilities.

## III. CONCLUSION/ACTION LOG

The City is taking the actions referenced below and will continue to look for and timely remedy barriers to access in an effort to ensure that the disabled citizens of St. Marys are given access to the City's programs, services and activities.

To confirm follow-up on corrective actions required under the Plan, the City will institute an ADA Action Log, documenting its efforts at compliance with the ADA. At a minimum, the Action log will identify items that are not ADA compliant and will include anticipated completion dates. After the adoption of this Plan by the Governing Body of the City, the ADA Action Log will be updated on an annual basis. The ADA Action Log shall be available upon request.

## ADA BARRIER REMOVAL PLAN

### FACILITIES PLAN

BUILDING DESCRIPTION	STREET ADDRESS	CITY	STATE	ZIP	GPS LATITUDE	GPS LONGITUDE	ADA COMPLIANCE ACTION	ASSIGNED TO	COMPLIANCE TARGET DATE
CITY HALL	418 OSBORNE STREET	ST. MARYS	GA	31558	30° 43' 33.0"N	81° 32' 49.6"W	RESTROOMS/ FRONT COUNTER	PW/PLANNING	JUNE 2013
WARD HERNANDEZ BLDG.	400 OSBORNE STREET	ST. MARYS	GA	31558	30° 43' 29.2"N	81° 32' 50.5"W	RESTROOMS/BLDG. ACCESS	PUBLIC WORKS	JUNE 2013
PUBLIC WORKS DEPARTMENT	819 POINT PETER ROAD	ST. MARYS	GA	31558	30° 45' 11.8"N	81° 33' 8.0"W	RESTROOMS	PUBLIC WORKS	DECEMBER 2013
SUBMARINE MUSEUM	102 WEST ST. MARYS STREET	ST. MARYS	GA	31558	30° 43' 14.1"N	81° 32' 57.2"W		PUBLIC WORKS	
ORANGE HALL	303 OSBORNE STREET	ST. MARYS	GA	31558	30° 43' 27.4"N	81° 32' 50.8"W	MUSEUM VIDEO	TOURISM	DECEMBER 2013
FIRE STATION #2	201 NORTH DANDY STREET	ST. MARYS	GA	31558	30° 44' 51.4"N	81° 33' 37.5"W	RESTROOMS	PUBLIC WORKS	DECEMBER 2013
FIRE STATION #9	19050 COLERAIN ROAD	ST. MARYS	GA	31558	30° 46' 37.3"N	81° 35' 29.6"W	RESTROOMS	PUBLIC WORKS	DECEMBER 2013
FIRE STATION #7	205 SPINNAKER DRIVE	ST. MARYS	GA	31558	30° 45' 24.0"N	81° 30' 57.2"W	RESTROOMS	PUBLIC WORKS	DECEMBER 2013

### STREETS PLAN

STREET NAME	INTERSECTING STREET	CITY	STATE	ZIP	GPS LATITUDE	GPS LONGITUDE	NUMBER OF ADA SIDEWALK RAMPS NEEDED	ASSIGNED TO	COMPLIANCE TARGET DATE
HALL STREET	OSBORNE STREET	ST. MARYS	GA	31558	30° 43' 49.6"N	81° 32' 46.7"W	3	PUBLIC WORKS	JUNE 2015
ASHLEY STREET	OSBORNE STREET	ST. MARYS	GA	31558	30° 43' 54.9"N	81° 32' 45.4"W	2	PUBLIC WORKS	JUNE 2015
DILLINGHAM STREET	CITY HALL DRIVE THROUGH	ST. MARYS	GA	31558	30° 43' 33.5"N	81° 32' 48.6"W	3	PUBLIC WORKS	JUNE 2014
POINT PETER ROAD	INDUSTRIAL DRIVE	ST. MARYS	GA	31558	30° 45' 30.0"N	81° 33' 3.8"W	2	PUBLIC WORKS	JUNE 2015
ST. PATRICK STREET	OSBORNE STREET	ST. MARYS	GA	31558	30° 44' 10.6"N	81° 32' 43.8"W	2	PUBLIC WORKS	JUNE 2015
WHEELER STREET	OSBORNE STREET	ST. MARYS	GA	31558	30° 44' 15.5"N	81° 32' 46.5"W	2	PUBLIC WORKS	JUNE 2015
SUGARMILL BOULEVARD	COLERAIN ROAD	ST. MARYS	GA	31558	30° 46' 15.4"N	81° 34' 56.6"W	3	PUBLIC WORKS	JUNE 2017
SUGARMILL BOULEVARD	PEDESTRIAN CROSSWALK	ST. MARYS	GA	31558	30° 46' 20.2"N	81° 34' 53.5"W	4	PUBLIC WORKS	JUNE 2017
SUGARMILL BOULEVARD	MARIANNA DRIVE	ST. MARYS	GA	31558	30° 46' 44.3"N	81° 34' 51.4"W	1	PUBLIC WORKS	JUNE 2017
MCINTOSH DRIVE	HUMPHRIES WAY	ST. MARYS	GA	31558	30° 46' 39.8"N	81° 34' 45.3"W	2	PUBLIC WORKS	JUNE 2017
MCINTOSH DRIVE	STAFFORD WAY	ST. MARYS	GA	31558	30° 46' 37.3"N	81° 34' 45.9"W	2	PUBLIC WORKS	JUNE 2018
MCINTOSH DRIVE	ALLISON WAY	ST. MARYS	GA	31558	30° 46' 34.7"N	81° 34' 46.1"W	2	PUBLIC WORKS	JUNE 2018
MCINTOSH DRIVE	SUNMER DRIVE	ST. MARYS	GA	31558	30° 46' 32.2"N	81° 34' 46.0"W	2	PUBLIC WORKS	JUNE 2018
MCINTOSH DRIVE	BERNARDEY WAY	ST. MARYS	GA	31558	30° 46' 29.6"N	81° 34' 46.1"W	2	PUBLIC WORKS	JUNE 2018
MCINTOSH DRIVE	BACHLOTT ROAD	ST. MARYS	GA	31558	30° 46' 28.0"N	81° 34' 46.7"W	4	PUBLIC WORKS	JUNE 2018
SUGARMILL BOULEVARD	PLANTATION CLUB ROAD	ST. MARYS	GA	31558	30° 46' 27.7"N	81° 34' 52.6"W	1	PUBLIC WORKS	JUNE 2014
OLD MILL DRIVE	DUNBAR DRIVE	ST. MARYS	GA	31558	30° 46' 4.3"N	81° 35' 2.7"W	3	PUBLIC WORKS	JUNE 2016
OLD MILL DRIVE	ST. HELENA COURT	ST. MARYS	GA	31558	30° 46' 3.1"N	81° 35' 0.0"W	2	PUBLIC WORKS	JUNE 2016
OLD MILL DRIVE	ROYAL COURT	ST. MARYS	GA	31558	30° 45' 56.6"N	81° 34' 59.9"W	2	PUBLIC WORKS	JUNE 2016
OLD MILL DRIVE	ROSE DEW COURT	ST. MARYS	GA	31558	30° 45' 52.0"N	81° 35' 1.9"W	2	PUBLIC WORKS	JUNE 2016
MICKLER DRIVE	SCHOOLHOUSE CREEK DRIVE	ST. MARYS	GA	31558	30° 46' 7.9"N	81° 35' 23.5"W	1	PUBLIC WORKS	JUNE 2014
MICKLER DRIVE	AT SCHOOL ENTRANCE	ST. MARYS	GA	31558	30° 46' 11.7"N	81° 35' 20.7"W	1	PUBLIC WORKS	JUNE 2014

## ADA GRIEVANCE POLICY AND PROCEDURES

This grievance procedure has been developed to provide for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations, which implement Title II of the Americans with Disabilities Act or Section 504 of the Rehabilitation Act. Grievances should be filed with the City's Human Resources Department at:

City of St. Marys  
Human Resources Department  
ATTN: Donna Folsom, ADA Coordinator  
418 Osborne Street  
St. Marys, GA 31558  
[donna.folsom@stmarysga.gov](mailto:donna.folsom@stmarysga.gov)  
912-510-4036

The Grievance Procedure consists of the following:

1. A complaint should be filed in writing (but can be submitted in alternate format due to the needs of an individual's disability), containing the name and address of the person filing it, and briefly describing the alleged violation of the regulations or discriminatory act.
2. A complaint should be filed within 30 calendar days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination, which occurred before this grievance procedure was in place, will be considered on a case-by-case basis.)
3. An investigation, as may be appropriate, will follow the filing of a complaint and will be conducted by the City's ADA Coordinator. These rules contemplate informal but thorough investigations, affording all interested parties and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
4. The City's ADA Coordinator will provide for review by the City Attorney, a written determination, as to the validity of the complaint and a description of the resolution, if any, and a copy will be forwarded to the City Manager, along with the original complaint, no later than thirty days after its filing.
5. The City's ADA Coordinator will maintain the files and records of the City of St. Marys relating to all ADA grievances/complaints filed.
6. The right of a person to a prompt and equitable resolution of the complaint filed hereunder will not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency, such as the U.S. Department of Justice at (800) 514-0301. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
7. These rules will be construed to protect the substantive rights of interested persons to meet appropriate due process standards, and to assure that the City of St. Marys complies with the ADA and implementing regulations.

*This information can be made available in alternate format and the grievance can be submitted in alternate format.*



# CITY OF ST. MARYS

## ADA GRIEVANCE FORM

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Location of problem: \_\_\_\_\_

\_\_\_\_\_

Date noticed: \_\_\_\_\_

Description of problem: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

***\*Please attach additional pages if needed***

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 30 calendar days after the alleged violation to:

City of St. Marys  
Human Resources Department  
ATTN: Donna Folsom, ADA Coordinator  
418 Osborne Street  
St. Marys, GA 31558  
912-510-4036

## **Reasonable Modification Policy**

### **Access to Programs, Services, and Activities**

#### **NON-DISCRIMINATION**

- ❖ No person shall, on the grounds of race, color, or national origin, be excluded from participation, be denied the benefits of, or be subjected to discrimination under any City program or activity.

#### **INDIVIDUALS WITH DISABILITIES**

- ❖ No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of the City, or be subjected to discrimination by the City. Nor shall the City exclude or otherwise deny equal services, programs, or activities to an individual because of the known disability of an individual with whom the individual is known to have a relationship or association.

#### **DEFINITION**

- ❖ A "qualified individual with a disability" is an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the City.

#### **REASONABLE MODIFICATION**

- ❖ The City shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the City can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

#### **COMMUNICATIONS**

- ❖ The City shall take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. To this end, the City shall furnish appropriate auxiliary aids and services, where necessary, to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by the City. In determining what type of auxiliary aid or service is necessary, the City shall give primary consideration to the requests of the individual with disabilities.

#### **AUXILIARY AIDS AND SERVICES**

- ❖ "Auxiliary aids and services" includes:
  - a. Qualified interpreters, note takers, transcription services, written materials, assistive listening systems, and other effective methods for making aurally delivered materials available to individuals with hearing impairments
  - b. Qualified readers, taped texts, audio recordings, brailled materials, large print materials, or other effective methods for making visually delivered materials available to individuals with visual impairments

- c. Acquisition or modification of equipment or devices
- d. Other similar services and actions.

### **LIMITS OF REQUIRED MODIFICATION**

- ❖ The City is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. Any decision in compliance with its responsibility to provide effective communication for individuals with disabilities that would fundamentally alter the service, program, or activity or unduly burden the City shall be made by the Council after considering all resources available for use in funding and operating the program, service, or activity. The decision shall be accompanied by a written statement of the reasons for reaching that conclusion.

### **NOTICE**

- ❖ The City shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of Title II of the Americans with Disabilities Act (ADA) and its applicability to the services, programs, or activities of the City. The information shall be made available in such manner as the City ADA Coordinator finds necessary to apprise such persons of the protections against discrimination assured them by the ADA.

### **CITY ADA COORDINATOR**

- ❖ The City ADA Coordinator shall, in conjunction with the City's Department Heads, coordinate the City's efforts to comply with and carry out its responsibilities under Title II of the ADA, including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under the ADA. The City shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA.